

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Aristech Chemical Corporation)	NOTICE OF VIOLATION
Haverhill Plant)	
Ironton, Ohio)	
)	EPA-5-00-OH- 16
Proceedings Pursuant to the)	
Section 113 of the Clean Air Act,)	
<u>42 U.S.C. § 7413</u>)	

NOTICE OF VIOLATION

This Notice of Violation is issued pursuant to Section 113(a) (1) of the Clean Air Act ("Act"), 42 U.S.C. § 7413(a) (1). You are hereby notified that the Administrator of the United States Environmental Protection Agency ("U.S. EPA"), by authority duly delegated to the undersigned, finds Aristech Chemical Corporation ("Aristech"), Ironton, Ohio, to be in violation of the Ohio State Implementation Plan (SIP) adopted pursuant to Section 110 of the Act, 42 U.S.C. § 7410, for failure to comply with the requirements of the State of Ohio's permit to operate.

STATUTORY AND REGULATORY AUTHORITY

1. Section 110 of the Act, 42 U.S.C. § 7410, requires each State to adopt and submit a plan which provides for the implementation, maintenance, and enforcement of any national primary or secondary standard established pursuant to Section 109 of the Act, 42 U.S.C. § 7409. These plans are required to include enforceable emission limitations, control measures, schedules for compliance, and permit programs for new sources.
2. Section 110(n) (1) of the Act, 42 U.S.C. § 7410(n) (1), provides that any provision of any applicable implementation plan that was approved or promulgated by the Administrator pursuant to Section 110 as in effect prior to November 15, 1990, shall remain in effect as part of such applicable implementation plan.
3. Pursuant to Section 110 of the Act, 42 U.S.C. § 7410, the Administrator approved Ohio Administrative Code (OAC) Chapter 3745-35 as part of the federally enforceable SIP on June 10, 1982 (47 Fed. Reg. 25144). The approval became effective on July 12, 1982. This includes OAC 3745-35-02, which requires a permit to operate.
4. OAC 3745-35-02 provides that no person may cause, permit, or allow the

operation or other use of any air contaminant source without applying for and obtaining a permit to operate from the Ohio Environmental Protection Agency in accordance with the requirements of this rule.

FACTUAL BACKGROUND

5. Aristech operates five organic chemical manufacturing units at its facility located at Route 52 and Ohio Furnace Road, Ironton, Ohio. Aristech manufactures phenol, acetone, alpha methylstyrene (AMS), cumene hydroperoxide (CHP), bisphenol A (BPA), aniline, and diphenylamine (DPA) from one of five units -- the Phenol I and II unit, BPA unit, Aniline unit and DPA unit.
6. Lawrence County is an area presently classified as attainment or unclassifiable for all criteria pollutants. 40 C.F.R. Subpart B, § 81.336.
7. Between 1985 and 1988 Aristech modified Phenol I, Phenol II and the Cumene Oxidation Unit.
8. To date, Aristech does not have a permit to operate for the units modified during 1985-1988.

VIOLATIONS

9. In violation of OAC Rule 3745-35-02, Aristech has operated Phenol I, Phenol II and the Cumene Oxidation Unit with out a permit to operate.

NOTICE OF VIOLATION

The Administrator of the U.S. EPA, by authority duly delegated to the undersigned, notifies the State of Ohio and Aristech Chemical Corporation that the facility described above is in violation of the Ohio State Implementation Plan as set forth in this Notice of Violation.

6-14-00

Date



Bharat Mathur, Director
Air and Radiation Division

CERTIFICATE OF MAILING

Re: Notice of Violation at Aristech Chemical Corporation, Ironton, Ohio

I, Loretta Shaffer, do hereby certify that a Notice of Violation
Pursuant to the Clean Air Act were sent by Certified Mail, Return Receipt
Requested, to:

James Fain, Manager - Environmental and Safety
Aristech Chemical Corporation
P.O. Box 127
Ironton, Ohio 45638-0127

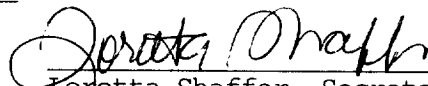
I, Loretta Shaffer, certify that a copy of the Notice of Violation
Pursuant to the Clean Air Act were sent by First Class Mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

Philip H. Thompson, Director
Air Pollution Unit
Portsmouth City Health Department
740 Second Street
Portsmouth, Ohio 45662

David P. Novello, Esq.
Freedman, Levy, Kroll & Simonds
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

on the 15th day of June 2000.



Loretta Shaffer, Secretary
AECAS (MN/OH)

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Certified Mail Article Number